1-25 have been subjected to a Restriction Requirement as follows:

Groups 1-57, claims 1, 3, 4-6 and 9, drawn to an isolated polynucleotide comprising SEQ ID NO:1-57, respectively, classified in class 536, subclass 2.1;

Groups 58-114, claim 2, drawn to an antisense oligonucleotide, which hybridizes to one of the selected polynucleotides of Groups 1-57, respectively, classified in Class 536, subclass 24.5;

Groups 115-171, claims 7, 9, 21 and 23, drawn to a polypeptide and a vaccine comprising said polypeptide, which is encoded by a polynucleotide comprising SEQ ID NO:1-57, respectively, classified in class 530, subclass 350;

Groups 172-228, claim 8, drawn to an antibody, which is immunospecific for a selected polypeptide encoded by SEQ ID NO:1-57, respectively, classified in class 530, subclass 387.1;

Groups 229-285, claims 10-14, drawn to a method for diagnosing, staging and monitoring colon cancer wherein the methods comprise determining levels of CSG polynucleotides, classified in class 435, subclass 6;

Groups 286-342, claims 10-14, drawn to a method for diagnosing, staging and monitoring colon cancer wherein the methods comprise determining levels of CSG polypeptides

classified in class 436, subclass 63;

Groups 343-399, claim 15, drawn to a method of identifying potential therapeutic agents comprising screening molecules for an ability to bind to a CSG polynucleotide, classified in class 424, subclass 9.1;

Groups 400-456, claim 15, drawn to a method of identifying potential therapeutic agents comprising screening molecules for an ability to bind to a CSG polypeptide, classified in class 424, subclass 9.1;

Groups 457-513, claims 16-19, drawn to a method of imaging colon cancer comprising administering an antibody, wherein the antibody is immunospecific for one of the polypeptides encoded by SEQ ID NO:1-57, respectively, classified in class 514; subclass 4;

Groups 514-570, claim 20, drawn to a method of identifying compounds which antagonize or agonize one of the CSG polypeptides encoded by SEQ ID NO:1-57, respectively, classified in class 436, subclass 8;

Groups 571-627, claim 22, drawn to a CSG antagonist that corresponds to a polypeptide encoded by one of SEQ ID NO:1-57, respectively, classified in class 514, subclass 1; and

Groups 628-684, claims 24 and 25, drawn to methods of

inducing an immune response and treating colon cancer, wherein the vaccine comprises one of the 57 polypeptides encoded by SEQ ID NO:1-57, respectively, classified in class 435, subclass 320.1.

The Examiner suggests that these groups are distinct, each from the other.

Specifically, with respect to Groups 1-228 and 571-627, the Examiner suggests that they are structurally and functionally different products requiring different searches in the U.S. Patent Shoes and the scientific literature and requiring consideration of different patentability issues.

With respect to Groups 229-570 and 628-684, the Examiner suggests that the methods differ in objectives, steps, parameters and reagents used.

With respect to Groups 1-114 and 229-285, the Examiner has acknowledged their relatedness as product and process, but suggests that they are distinct because any of the nucleic acids of Groups 1-114 can be used in any of the methods of Groups 229-285.

Groups 115-171 and Groups 286-342 and 628-684 have also been acknowledged to be related as product and process of use, but are suggested to be distinct because any of the 57 polypeptides and

vaccines comprising the polypeptides can be used in any of the methods of Groups 286-342 and 628-684.

Groups 571-627 and Groups 343-513 have also been acknowledged to be related as product and process of use, but are suggested to be distinct because any of the molecules of Groups 571-627 can be used in any of the methods of Groups 343-513.

Finally, the Examiner has acknowledged Groups 172-228 and Groups 400-570 to be related as product and process of use but suggests that they are distinct because any of the antibodies of Groups 172-228 can be used in any of the method Groups of 470-570.

Applicants respectfully traverse this rejection.

At the outset, Applicants respectfully disagree with the Examiner's characterization of the polynucleotides of SEQ ID NO:1-57 as separate inventions rather than species. In accordance with MPEP §806.04(f), for claims to be restricted to different species, the claims must be generally exclusive. The general test as set forth in MPEP §806.04(f) is that one claim recites limitations which under the disclosure are found in a first species but not in a second species, while a second claim recites limitations disclosed only for the second species and not the first. In the instant application, however, there are no

claims reciting limitations for only one polynucleotide or polypeptide encoded thereby and not for another. Accordingly, restriction to one of the polynucleotides of SEQ ID NO:1-57 is improper as the polynucleotides are related species under the instant disclosure subjectable to a species election requirement.

Further, MPEP §803 provides two criteria which must be met for a restriction requirement to be proper. The first is that the inventions be independent or distinct. The second is that there would be a serious burden on the Examiner if the restriction is not required. If election is required for a single polynucleotide sequence, a proper search of the elected polynucleotide sequence will also clearly reveal any prior art relating to:

antisense oligonucleotide sequences thereto;

use of the elected sequence to encode a polypeptide and produce antibodies against the polypeptide or vaccines containing the polypeptide;

detecting the elected polynucleotide or polypeptide encoded thereby to diagnose, stage and monitor cancer; and

use of the elected polynucleotide or polypeptide encoded thereby to identify potential therapeutics. Thus, there is no substantial burden, at least once a polynucleotide sequence is

elected, to include all claims limited to that polynucleotide sequence in the instant application.

Reconsideration and withdrawal of this Restriction Requirement is therefore respectfully requested.

However, in an earnest effort to be completely responsive, Applicants elect Group 8, claims 1, 3, 4-6 and 9, for an isolated polynucleotide comprising SEQ ID NO:8, with traverse.

Respectfully submitted,

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